

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

No. 4:16-CR-268-O

KENNY JAMES DAVIS (01)

GOVERNMENT’S MOTION TO DISMISS INDICTMENT

On November 9, 2016, the federal grand jury returned an indictment in the above-styled case charging defendant Kenny James Davis with various counts of wire fraud, in violation of 18 U.S.C. § 1343, and mail fraud, in violation of 18 U.S.C. § 1341.

At this time, and with agreement by Davis and his counsel, the government believes it would be appropriate that the indictment against Davis be dismissed without prejudice. Pursuant to Fed. R. Crim. P. 48(a), the government therefore moves to dismiss without prejudice the indictment against defendant Kenny James Davis in this case.

Respectfully submitted,

JOHN R. PARKER  
UNITED STATES OF ATTORNEY

s/Mark L. Nichols  
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**CERTIFICATE OF CONFERENCE**

The government has conferred with Leandro Delgado, counsel for the defense, and he is unopposed to this motion to dismiss without prejudice.

s/Mark L. Nichols  
MARK L. NICHOLS  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that on March 3, 2017, I electronically filed the foregoing document with the clerk for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following parties who have consented in writing to accept this Notice as service of this document by electronic means: Leandro Delgado, counsel for defendant.

s/Mark L. Nichols  
MARK L. NICHOLS  
Assistant United States Attorney